

Gary M. Zadick  
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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MONTANA  
MISSOULA DIVISION

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MONTANA ASSOCIATION OF	)	
COUNTIES PROPERTY AND	)	CAUSE NO.: CV-19-196-M-DLC
CASUALTY TRUST,	)	
	)	
Plaintiff,	)	
	)	<b>NOTICE OF A LAWSUIT</b>
v.	)	<b>AND REQUEST TO</b>
	)	<b>ACKNOWLEDGE AND</b>
CERTAIN UNDERWRITERS AT	)	<b>WAIVE SERVICE OF A</b>
LLOYDS,	)	<b>SUMMONS</b>
	)	
Defendant.	)	

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To: Certain Underwriters at Lloyds  
c/o Walker Wilcox Matousek LLP  
225 West Washington Street, Suite 2400  
Chicago, IL 60606

**Why are you getting this?**

A lawsuit has been filed against you, or the entity you represent, in this court under the number shown above. A copy of the complaint is attached.

This is not a summons, or an official notice from the court. It is a request that, to avoid expenses, you waive formal service of a summons by signing and

returning the enclosed waiver. To avoid these expenses, you must return the signed acknowledgment and waiver within 30 days from the date shown below, which is the date this notice was sent. Two copies of the waiver form are enclosed, along with a stamped, self-addressed envelope, or other prepaid means for returning one copy. You may keep the other copy.

### **What happens next?**

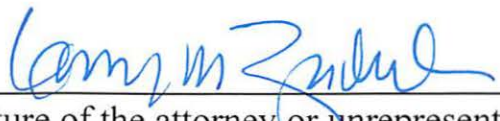
If you return the signed waiver, I will file it with the court. The action will then proceed as if you had been served on the date the waiver is filed, but no summons will be served on you and you will have 60 days from the date this notice is sent to answer the complaint.

If you do not return the signed waiver within the time indicated, I will arrange to have the summons and complaint served on you. And I will ask the court to require you, or the entity you represent, to pay the expenses of making service.

Please read the enclosed statement about the duty to avoid unnecessary expenses.

I certify that this request is being sent you on the date below.

Date: 1/16/2020

  
Signature of the attorney or unrepresented party

Gary M. Zadick  
Printed name

P.O. Box 1746, Great Falls, MT 59403  
Address

gmz@uazh.com  
Email address

406-771-0007  
Telephone number

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MONTANA  
MISSOULA DIVISION

MONTANA ASSOCIATION OF  
COUNTIES PROPERTY AND  
CASUALTY TRUST,

Plaintiff,

vs.

CERTAIN UNDERWRITERS AT  
LLOYDS,

Defendant.

Cause No. CV-19-196-DLC

**WAIVER OF THE SERVICE OF SUMMONS**

To: Gary M. Zadick  
Ugrin Alexander Zadick, P.C.  
P.O. Box 1746  
Great Falls, MT 59404

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from January 24, 2020 the date when this request was sent. If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 1/30/2020

Certain Underwriters at Lloyd's  
Printed name of party waiving service of summons

Katherine S Huso  
Signature of the attorney or unrepresented party  
Katherine S Huso  
Printed name

2812 1st Avenue N. Suite 225 Billings  
Address  
khuso@mkhattorneys.com  
E-mail address  
406-252-5500  
Telephone number

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### **Duty to Avoid Unnecessary Expenses of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.